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"Perhaps in this difficult calling some consolation may be gained and extended to the moralist if it be possible to refer to morbid conditions much that offends ethical and æsthetic feeling. Thus medicine undertakes to save the honor of mankind before the court of morality, and individuals from judges and their fellowmen. The duty and right of medical science in these studies belong to it by reason of the high aim of all human inquiry after truth."

The translator of this edition is entitled to great credit for having really transferred the work of the author into *good* English—by no means an easy task. In reading the work it seems as if it had originally been written in English.

The typographical execution of the book is excellent, and having read the book entirely through we heartily commend it to all who wish to extend the scope of their knowledge in legal medicine.

MARSHALL D. EWELL, M.D.

Chicago, Jan. 17, 1893.

AMERICAN RAILROAD AND CORPORATION REPORTS. Being a Collection of Current Decisions of the Courts of Last Resort in the United States Pertaining to the Law of Railroads, Private and Municipal Corporations, etc. Edited and Annotated by JOHN LEWIS. Vol. V. Chicago: E. B. Meyers & Co., 1892.

The fourth volume of this valuable publication was reviewed in the August number (1892) of the AMERICAN LAW REGISTER AND REVIEW, and at that time we said of the volume that it was on the whole well worth attentive perusal, and that to "the lawyer with a brief to write it will prove only less useful than to the student who desires to keep abreast of the development of corporation law." A careful examination of the volume before us enables us to repeat these words of praise. The general make-up of the volume resembles that of its predecessors; and the selection of cases is equally as good. Among them Mr. LEWIS has given *Budd v. New York*, the well-known decision which called forth from Mr. R. C. MCMURTRIE's pen the article which appeared in the January number (1893), of the AMERICAN LAW REGISTER AND REVIEW, entitled, "A New Canon of Constitutional Interpretation." A peculiar interest attaches to these decisions of the Supreme Court of the United States with respect to which the Court is divided, and *Budd v. New York* is no exception to the rule in view of the dissent of Mr. Justice BREWER, Mr. Justice FIELD, and Mr. Justice BROWN. Mr. LEWIS, indeed, points out that this is not strictly a railroad or corporation case, but he says in a note upon it that it deals "almost wholly with railroad and corporation decisions, and determines questions of vital importance to all railroads and corporations. The business to which the case relates is also one which is largely, if not mostly, in the hands of corporations. We deem this a sufficient justification, if any is needed, for including the case in these reports."

Among the other cases of interest which the volume contains we note the decision of the Supreme Court of Iowa in *Union Building Association v. Rockford Insurance Co.* Where an insurance policy was issued with a provision that the loss, if any, should be paid to the mortgagee of

the premises in question, and that it should not be of any effect until the premium was paid, it was held that the company could defend on the ground of non-payment of the premium when the assured had sent the policy to the mortgagee without paying the premium, the mortgagee having no notice of the failure to pay. Mr. LEWIS appends to this case an annotation or note which is in substance a digest of recent decisions in the law of fire insurance. Such collections of authorities as this are of use to the profession, but it would be better if editors were to do more independent work in such cases, and not merely avail themselves of the privilege extended to them of making use of the matter contained in the various reporters of the West Publishing Company. This right has been accorded Mr. LEWIS, and he makes the most of it. We have taken the trouble to compare a large number of the cases digested with the abstracts of the same cases as printed in *Finch's Insurance Digest* for 1891 (which was also reviewed in the August number), and we find the statements of the case in the two publications to be identical in the great majority of instances. These statements are in effect the syllabi which have appeared in the West Publishing Company's Reporters, and this liberal use of them arouses a suspicion that the editor of the volume before us, as well as the editor of the *Insurance Digest*, has not made an independent examination of every case.

The brief opinion of BLODGET, J., in pronouncing the judgment of the Supreme Court of New Hampshire, in *Waite et al. v. Nashawa Armory Association*, gives occasion to a lengthy note upon the powers of the president of a corporation. This is as useful a collection of authorities as any in the volume, and we commend it to the consideration of our readers. The note to *Demarest v. Flack*, on "Foreign Corporations—Rights by Comity," is also valuable.

The index to the volume is unusually good, containing as it does a complete set of references to both the reported cases and the notes.

G. W. P.

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PENNSYLVANIA COLONIAL CASES; the Administration of Law in Pennsylvania Prior to A. D. 1700, as Shown in the Cases Decided and in the Court Proceedings. By Hon. SAMUEL W. PENNYPACKER, LL.D. Philadelphia: Rees, Welsh & Co., 1892.

This volume is the outgrowth of an address delivered by the author in 1891 before the Law Academy of Philadelphia. In the concluding paragraph of the book Judge PENNYPACKER uses this language: "The cases which you have now had the opportunity of reviewing show that the law in that early time was administered in Pennsylvania with a considerable measure of technical skill, and what is of far more importance, that an enlightened spirit of justice and fairness controlled both the findings of juries and the decisions of judges. Women who had been maltreated, servants who had been abused by their masters, and poor creatures endangered by the credulous superstition of the age, appear to have gone into those primitive courts with a faith, justified by the event, that neither prejudice, interest nor fanaticism would be thrown into the